

REMARKS

Claims 1-12, 15-27, 30-41 and 43 were pending. In an Office Action dated October 1, 2010 claims 1-12, 15-27, and 30-41 and 43 were rejected. Applicants have amended claims 1 and 17 in this amendment. New claim 44 is added. Claims 1-12, 15-27, 30-41 and 43-44 are pending upon entry of this amendment. Applicants thank the Examiner for examination of the claims pending in this application and address the Examiner's comments below.

Interview Summary

Applicants' representative conducted a telephone interview with Examiner Scott M. Sciacca on January 12, 2011. Applicants thank the Examiner for the interview and for his suggestions. During the telephone interview the pending rejections were discussed in view of the cited prior art. In addition, claim amendments clarifying the term "usage variable value" were discussed. Examiner agreed that clarifying the term usage variable value as defining "a plurality of usage thresholds for a particular combination of resources of the client device" overcomes the current rejection. The amendments discussed with the Examiner are incorporated in this Response.

Response to Rejection Under 35 USC § 102(e)

The Examiner rejected claims 1-12, 15-27, 30-41 and 43 under 35 USC § 103(a) as allegedly being unpatentable over Hasink et al. (U.S. Patent Publication No. 2005/0149932) in view of Culbert et al. (U.S. Patent No. 5,838,968). Applicants respectfully traverse this rejection as applied to the amended claim.

Independent claim 1, as amended recites:

correlating by the application a resource usage level of the application with the usage variable, the correlating comprising:
examining a representation of a mapping of usage variable values to resource usage levels, wherein each tuple in the mapping specifies a particular value of the usage variable and a particular resource usage level, **wherein the usage variable value defines a plurality of usage thresholds for a particular combination of resources of the client device;**
identifying a tuple of the mapping for which the particular value of the usage variable matches the value assigned to the usage variable;
and
the application modifying its own execution to use the particular resource usage level specified by the identified tuple.

Examiner cited Culbert as disclosing the limitations “examining a representation of a mapping of usage variable values to resource usage levels ... the application modifying its own execution to use the particular resource usage level specified by the identified tuple.” However Culbert does not disclose these limitations.

Culbert discloses dynamic resource management across tasks in real-time operating systems using a task resource utilization vector. *Culbert* Abstract. As disclosed in Culbert, column 7, lines 41-60, each record of the task resource utilization vector specifies the required quantities of the resources that are necessary for a task to execute and a run level associated with the record. The required quantities of the resources specified in the task resource utilization vector represent quantities of system resources that the task prefers to utilize while executing on the processor. *Culbert* Abstract. The run level specified in the task resource utilization vector represents the task’s ability to perform its work when the quantities of system resources as specified in the record are available. *Id.* None of the values specified in a record of the task resource utilization vector correspond to a usage variable value, “wherein the usage variable value defines a plurality of usage thresholds for a particular combination of resources of the client device” as claimed. Therefore, Culbert does not disclose the above limitations.

Furthermore, Examiner acknowledges that the above amendments to the independent claim 1 overcome the current rejection.

Independent claim 17 has been amended to recite limitations similar to claim 1 and overcomes the present rejection for at least the same reasons. The dependent claims incorporate the limitations of the corresponding independent claims and also overcome the present rejection. The new claim 44 incorporates the limitations of claim 1 and is allowable for the same reasons.

Conclusion

For the above reasons, Applicants respectfully submit that the pending claims, as amended, are not taught by the art of record, and request allowance of the application. The Examiner is invited to contact the undersigned by telephone to advance the prosecution of this application.

Respectfully Submitted,

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